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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/705,341	
	Filing Date	11/10/2003	
	First Named Inventor	FESTA	
	Art Unit	1761	
	Examiner Name		
Total Number of Pages in This Submission	27	Attorney Docket Number	7202-46

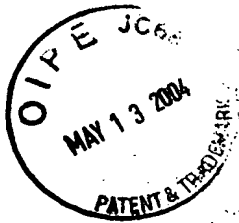
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Firm or Individual	AKERMAN SENTERFITT Mark D. Passler, Registration No. 40,764
Signature	
Date	5-10-04

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**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of FESTA et al.

Application No. 10/705,341

Examiner:

Filed: November 10, 2003


Group Art Unit: 1761

For: A FOOD PREPARATION WITH A CREAMY CONSISTENCY FOR USE AS A  
BASE FOR SAUCES

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)**

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Reg. No. 40,764  
Mark D. Passler

Commissioner for Patents  
P.O. Box 1450  
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Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of U.S. patents and/or patent application publications are not enclosed. A copy of each foreign language reference is enclosed, as well as an English language abstract where available. The references were cited in a Search Report prepared by the European Patent Office on a related European patent application. A copy of the search report is also enclosed, which satisfies the requirement for a concise explanation of relevance of foreign-language documents.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

{WP178133;1}

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Statement under 37 CFR §1.97(e)

It is hereby certified that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

This Statement is being filed after the issuance of an Office Action in the present application, and this paper is thus submitted in accordance with 37 CFR 1.97(c). In view of the above statement, no fee is believed due, however, please charge any deficiencies or credit any overpayments to Deposit Account No. 50-0951.

Respectfully submitted,

Dated: 5-10-04



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Docket No. 7202-46

